IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4689 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE M.R. SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ZALA MAHARSINH ADITSINH

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 4689 of 2002

MS ARCHANA U AMIN for Petitioner No. 1-2

MR PRADIP D BHATE, AGP for Respondent No. 1-2,5

NOTICE SERVED for Respondent No. 3,6-7

MR HS MUNSHAW for Respondent No. 4

CORAM : HON'BLE MR.JUSTICE M.R. SHAH

Date of decision: 16/12/2004

ORAL JUDGEMENT

#. In this petition filed under Article 226 of the Constitution of India, the petitioners have prayed for appropriate writ, order and direction directing the respondents to appoint an independent agency for finding out real truth of discriminatory treatment given by respondent No.4, i.e. Taluka Development Officer, Surendranagar so as to do justice to the really affected victims who could not approach this Court because of financial difficulties. Further prayer is also made directing the appropriate authority to initiate the proceedings against respondent nos.6 and 7 for making mal practice.

#. The District Judge is appointed to look into the grievance and is appointed as Lokpal in pursuance of the order passed by the Division Bench of this Court in the in the case of Bipinchandra J.Divan and others, Vs. State of Gujarat and others, reported in 2001(2) GLR 1394. Under the circumstances, the petitioners to approach the Lokpal-District Judge, Surendranagar to ventilate the grievance by making proper application with particulars. As and when such application is made, the Lokpal-District Judge, Surendranagar is directed to look into the same and issue appropriate directions to the concerned authority as early as possible. Ms.Archana Amin, learned advocate appearing for the petitioners, has submitted that the petitioners would make necessary application within a period of two weeks from today. Under the circumstances, the Lokpal - District Judge, Surendranagar is directed to look into the same and shall try to resolve the dispute and if found some substance in the allegations on inquiry, to issue appropriate direction to the appropriate authority within a period of four months from the date of the receipt of such application.

#. With these observations and directions, the present special civil application is disposed of. Rule is discharged with no order as to costs.

Direct service is permitted.

(M.R.Shah,J)

(pathan)